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**TESTIMONY IN SUPPORT OF 19- H 5334  
AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN  
FAMILY COURT  
April 2, 2019**

The ACLU is highly supportive of H 5334, which would prohibit the questioning of a juvenile who is suspected of criminal behavior without the presence of their parent or legal guardian or an attorney unless the juvenile has knowingly waived their rights.

Generally, juveniles are less able to understand their legal rights while being questioned. However, law enforcement proceeds as if they were well-informed adults who possess a full understanding of the weight of an interrogation.

A recent case handled by the ACLU encapsulates the need for this type of legislation; in 2014, an 8-year-old girl was removed by police from a school bus, taken alone to the police station without her parent's knowledge, and held and questioned at the station for several hours before being released. The girl was seized, detained, and interrogated based on unsubstantiated claims from another child that the girl was carrying "chemicals" in her backpack, and occurred even after the police found nothing illicit in her possession.

Although Rhode Island law protects children who are questioned while at school, and requires a guardian present, a child whose first police interaction occurs off campus has no such protection. We believe that this legislation is critical to ensure full due process for juveniles and urge its swift passage.

Thank you for your consideration.